

City of Taylorsville
Planning Commission Meeting Minutes
September 11, 2018
Pre-meeting – 6:30 p.m. – Regular Session – 7:00 p.m.
2600 West Taylorsville Blvd – Council Chambers


Attendance:

Planning Commission

Lynette Wendel – Chair
John Warnas – Vice Chair
Anna Barbieri
Justin Peterson
Don Quigley
Kent Burggraaf
Mark McElreath
Rebecca Scholes (Alternate)


Community Development Staff

Mark McGrath – Director of Community Development
Angela Price – Associate Planner
Amanda Roman – Associate Planner
Stephanie Shelman – Deputy City Attorney
Jean Gallegos – Admin Assistant/Recorder

 6:36 PM

PRESENT: Ernest Burgess, Mike Stangl, Jeff Richards


WORK MEETING – 6:30 P.M.

1. Briefing session to review the Agenda was conducted in Chambers by **Mark McGrath**, Director of Community Development at 6:30 p.m., wherein **Mr. McGrath** discussed each item individually with input from the Commissioners.
 - 1.1.1 The Agenda included a General Plan Amendment, a Zoning Text Amendment and a reference to a discussion to be held regarding the Planning Commission Reference Manual.  6:38 PM During his pre-meeting presentation, **Mr. McGrath** advised that Staff made no recommendation based on lack of sufficient information. That the biggest problem is the number of unanswered questions regarding the land use currently. He alluded to the point that the frontage road east of this site would also have an impact. He solicited the Commission for helpful discussion tonight regarding the land use issues. The applicant must convince the Commission to make the positive recommendation or not.
 - 1.1.2 **Mr. McGrath** discussed the Agenda for the Planning Commission field trip to be held on September 20th to replace the work session on September 25th. All those wishing to participate were to meet at City Hall at 4:30 p.m. to carpool to Herriman City for that event.

Commissioner Wendel opened the regular session at 7:05 P.M. and since there were no items on the Consent Agenda, turned the time over to Angela Price, Senior Planner, for her presentations.


GENERAL PLAN AMENDMENT

2. 1G18 – Mike Stangl - Recommendation to the City Council for a General Plan Amendment for 19.44 Acres Located at 4235 South 2700 West from Professional Office to Business Park. (Angela Price/Senior Planner)


- 2.1 This item was presented by **Ms. Price**.  7:06 PM She advised her presentation will be for both items at the same time. This is a recommendation to the City Council for a General Plan Amendment from






Professional Office to Business Park and a Zoning Map Amendment from Professional Office to Research and Development for approximately 19.44 acres located at 4235 South 2700 West. The applicant is Mike Stangl – File #1G18 and 14Z18. She showed the vicinity and zoning maps. She explained what land use zones border the property. This request is being made to facilitate the development of Tech 27.

- 2.1.1 She showed the conceptual proposed site plan, however, reiterated that this is not being presented to approve the site plan tonight. The applicant approached the City in 2014 for possible development and there have since been some changes made in the applicant's intent for the property which now requires a land use change to facilitate that. Now the development as proposed is three two-story buildings about 34' high made to accommodate flex office space to facilitate the opportunity for a business to have warehouse, assembly or office space within one building. She gave a brief description of the proposed sizes and general looks of the buildings, along with the proposed parking allowances for each. At this point there is only one tenant with the specific tenants of the two additional buildings not being known. She advised the buildings would be roughly 60,000 to 91,000 square feet. There could be loading docks of all three buildings for light truck use right now but depending on who the other two tenants are, could accommodate semi-trucks as well. She further described the three buildings as, Building one having 203 parking stalls with a maximum office space of 35,000 square feet and a minimum assembly warehouse of 25,000 square feet. Building two is proposed to have 445 parking stalls, with maximum office of 88,000 square feet and minimum assembly warehouse of roughly 3,000 square feet. Building three is going to have 306 parking stalls with a maximum office of 54,000 square feet and minimum assembly warehouse of 32,261 square feet.
- 2.1.2 **Ms. Price** gave the definition for Professional Office as "PO is a commercial classification focusing primarily on professional office uses such as legal, financial, insurance, real estate, marketing, medical and other healthcare-related fields." The definition for business Park is "BP designation differs from PO in that traditional industrial uses are permitted, often in "hybrid" space for companies and organizations that do not fall neatly into once category of use. Uses may include headquarters, management research laboratories, prototype development, assembly and fabrication, light-manufacturing, and warehouse distribution."
- 2.1.3 The proposed design has left Staff with questions and potential concerns about the relationship between the future and adjacent land uses, building articulation in relation to 2700 West and I-215, and the unknown nature of the tenants. The City supports the concept of flex space and believes it will fill a desired economic niche in the community, however, the question exists on whether this location is the ideal market for this type of development.
- 2.1.4 The site has a few unique characteristics to consider when evaluating a long-range plan for this property. Taylorsville is completing the Environmental Study phase of the Bus Rapid Transit (BRT) project that will go down 4700 South and provide a transit connection from the Murray TRAX/Front Runner station to the West Valley station. Additionally, the City is currently conducting an environmental review of a potential frontage road that would parallel I-215. This project is expected to go to public comment sometime in the next month. It was recently brought to the City's attention that UDOT may change the alignment of the frontage road which may have a significant impact on the applicant's property.
- 2.1.5 In September of 2018, American Express announced that they will be vacating the building next to the proposed development. As part of American Express' lease agreement, they will be required to modernize the building after they vacate, which leaves the potential to be a substantial source of jobs for Taylorsville residents. The development around the American Express property is important to ensure both spaces are attracting high-caliber tenants.


- 2.1.6 This is one of the last undeveloped tracts of land in the City that has a zoning designation that will create high paying job base for our residents. It is imperative while considering this request that the long-term vision of the City is weighed, and the important economic implications of this development are evaluated.
- 2.1.7 **Ms. Price** went over the General Plan goals to assist the Commission in their decision as: Goal 2.1 – Strengthen Taylorsville’s unique sense of place through quality design (page 2-3); Goal 3.1 – Achieve efficient use of land and public infrastructure and promote economic sustainability through the use of a coordinated and deliberate land use strategy (page 3-3); Goal 3.2 – Coordinate land use implementation tools with the intent and spirit of the Taylorsville General Plan (page 3-6); Goal 5.1 – Maximize the City’s market potential (page 5.2); and Goal 5.4 – Generate developments that create jobs and maintain existing quality employment centers (page 5-12).
- 2.2 **FINDINGS:** **Ms. Price** then reviewed the Findings for Item 1G18 and Item 14Z18 submitted by Staff as:
 - 2.2.1 This application was initiated by Mike Stangl.
 - 2.2.2 The General Plan designation is Professional Office; the applicant is requesting an amendment to Business Park.
 - 2.2.3 The requested General Plan amendment will be in conjunction with a zoning Map amendment from Professional Office to Research and Development to facilitate Tech 27, a flex space development.
 - 2.2.4 Flex space provides opportunities for office, assembly, warehousing and light industrial uses.
 - 2.2.5 This request is not for Site Plan approval, but a General Plan amendment and should be evaluated based on the amendment requirements as outlined in the General Plan (page 1-8).
 - 2.2.6 The alignment, width and storm water design of the frontage road have not been determined by UDOT and may have a significant impact on the applicant’s property.
 - 2.2.7 The City is investing substantial resources in the BRT route that is proposed to run in front of the applicant’s property down 2700 West. The BRT will increase business opportunities while also providing a transit opportunity for employees.
 - 2.2.8 The property is adjacent to a residential land use and is located within a primary employment center in the City.
 - 2.2.9 American Express will be vacating the adjacent building, therefore, leaving an opportunity to attract a high-caliber tenant.
 - 2.2.10 Additional questions and concerns that need to be considered are the relationship between the proposed and adjacent land uses, building articulation in relation to 2700 West and I-215, and the unknown nature of the tenants.
 - 2.2.11 A General Plan amendment and a Zoning Amendment must be approved or denied by the City Council.
- 2.3 **STAFF RECOMMENDATION FOR ITEM 1G18:** If the Planning Commission determines this is an appropriate land use for the property located at 4235 South 2700 West, Staff recommends a continuance on the General Plan amendment to further develop the proposal. If the Planning Commission determines that this land use is inappropriate at this location, Staff advises sending a negative recommendation to the City Council.
- 2.4 **STAFF RECOMMENDATION FOR ITEM 14Z18:** If the Planning Commission determines this is an appropriate land use for the property located at 4235 South 2700 West, Staff recommends a continuance on the zoning Map amendment to further develop the proposal. If the Planning Commission determines that this land use is inappropriate at this location, Staff advises sending a negative recommendation to the City Council.  7:27 PM


2.5 **DISCUSSION (Both Items):**

 7:28 PM


- 2.5.1 **Commissioner Peterson** had questions regarding the BRT (Bus Rapid Transit). He wondered if there was a transit stop planned nearby. **Mr. McGrath** advised at this point plans have not been fully solidified but right now the proposed to be more up towards the signalized intersection adjacent to American Express. **Commissioner Peterson**  then wanted what the land use assumptions were in this area that drove the ridership at that stop. Was it a more intense land use or something less intense. **Mr. McGrath** said he was uncertain of the answer to that and would need to check the Environmental Report to make sure. **Commissioner Peterson** said the reason for the question was because he did not want to have something that would undermine the assumptions made in that study because it has been brought up before. That the City is making a significant investment in this and he was a little skeptical already that the BRT will be a success, so he felt there needed to be an awareness in order to make good decisions so that the City can make it a success. **Ms. Price** said she would follow-up on that information and get back with Commissioner Peterson. **Commissioner Barbieri** commented that she thought the BRT was scheduled to go north on 2700 West at this development. **Mr. McGrath** said that was correct. That it turns north off 4700 South and continues all the way to 3500 South and terminates there at the light rail station.  7:30 PM As he explained earlier, the proposed stops have not been 100% solidified.
- 2.5.2 **Commissioner Burggraaf**  7:30 PM wondered if there were any other examples of similarly zoned areas, which are adjacent to medium density residential. **Ms. Price** said the ones she could think of were two other R.D. Zones, one being Sorenson Research Park, which is landlocked by the Jordan River. There are some apartments there and then there is also the Recycling Facility on Redwood Road is also R.D.  7:31 PM **Commissioner Burggraaf** then asked if there were any regrets, complaints or issues related to those two sites being compatible or with issues that ought to be considered with this proposal. **Ms. Price** said that as far as she knows the uses at Sorenson Research Park are mostly office types. She did not feel there was any assembly warehousing going on in there. **Mr. McGrath** agreed that it is primarily office, but he believed there was a medical center there that he would classify as light industrial. That was established when the site was under the control of Salt Lake County and was grandfathered in here in Taylorsville. But that there have been no complaints received regarding this business.  That it is an extremely clean operation involving assembly of medical products.
- 2.5.3 **Commissioner Barbieri** advised that there have been complaints about the Recycling Center on Redwood Road though from the residents. **Mr. McGrath** advised that the Recycling Center is actually zoned for industrial and not business park.
- 2.5.4 **Commissioner Wendel** asked about the 100' buffer to the residential area in how that applies to Professional Office zoning. **Mr. McGrath** did not remember exactly what that is but knew it to be much less than 100'.
- 2.5.5 **Commissioner Quigley** said that there had been discussion about there being a need for something like this in the Community but wanted to know if there wasn't still some space to be developed at Sorenson Research Park. **Mr. McGrath** said there was about 29 acres on the far north end of the site, which makes it the second largest undeveloped parcel in the City. **Commissioner Wendel** commented that if then consideration is being made for the need for this kind of space, she felt that Commissioner Quigley was saying he felt there was still space in the City available at a different location. Therefore, the Commission may like this type of



business opportunity even they don't feel this is the best location for it. **Commissioner Quigley** said that was correct and he was also thinking even with the existing buildings, for example where the telemarketing space that has been vacant for a long time on the corner of Atherton and 4700 South, which could be used for this use. Other Commissioners commented that was not vacant anymore. **Commissioner Quigley** said his point was that as other spaces become available, those buildings could also be used for this quasi-light industrial, office, business park use. **Mr. McGrath** said that was potentially correct, however, some zoning amendments would be necessary for that. **Commissioner Quigley** said that was said because what he had heard was that there was very limited ability to bring this use into Taylorsville and felt that Sorenson Research Park has that ability to fill that knitch. **Ms. Price** added she erred in saying that there were two R.D. sites in Taylorsville when there is only one, that being Sorenson Research Park. The Recycling Center is zoned industrial. **Commissioner Burggraaf** said that essentially Business Park would include every use as did Professional Office. **Mr. McGrath** said that was correct.


- 2.5.6 **Commissioner Peterson** asked if loading docks were allowed within the 100' setback on the back side of the building. **Mr. McGrath** said that the 100' setback was around the periphery adjacent to residential and there would be no setback limitations on the inside of the complex. **Commissioner Peterson's** question was if they would be allowed to have loading docks on that residential side. **Mr. McGrath** said the Code says that the setback must be 100' and Staff would certainly encourage that and according to this applicant's preliminary site plan all the loading docks are on the interior of the complex, with the office space facing the perimeter. Also, that during the site plan review process Staff would encourage those loading docks be interior to the space to lessen the impact to the surrounding community.  7:30 PM



- 2.6 **APPLICANT ADDRESS: Mike Stangl**  7:38 PM gave a little history about the site which he bought in 2013.


- 2.6.1 He has met with the Economic Development Director Wayne Harper about possibly having flex type uses there, to which Mr. Harper was supportive. It is already a fact that there is a glut of offices and felt the flex type use made more sense. That he had previously listed the property originally for office space but received no takers, even at a lowered price. There have been a couple of inquiries about the location, but they ended up going to other cities instead. In meetings with the City, they made it clear they do not want apartments there because of the negative tax-base.


- 2.6.2 **Commissioner Wendel** thanked Mr. Stangl for the history and went on to say that she understood his sense of urgency in wanting to make something happen here but that that was not true for the City.  7:45 PM The City is more interested in having a cohesive proposal that is more destination oriented.

- 2.6.3 **Commissioner Quigley** asked the applicant if they have any perspective tenants at this point and **Mr. Stangl** replied that Permaplate wants to go in there right now and they have others depending on what happens here tonight.  7:51 PM **Commissioner Quigley** expressed frustration that Taylorsville keeps losing business to other cities, along with the promised upgraded shopping centers not materializing. He asked Mr. Stangl if he knew what the problem was with that. **Mr. Stangl** said that people don't want to be standalone agencies. It has been an uphill battle for him and he shared the frustration, but it will be even worse with American Express leaving. He felt the "third generation" shopping centers should be torn down and replaced with newer versions.  7:54 PM He also felt that the proposal for flex space would be a positive move. **Commissioner Quigley** said that Taylorsville has a kind of third generation shopping center and asked Mr. Stangl if that should be focused on to try to get


those redeveloped or torn down to attract tenants. **Ms. Stangl** said that retail is very difficult right now anyway because developers are switching generally to light industrial or apartments in making a change in dynamics involving the internet, etc. It will eventually sort itself out but right now it is difficult to develop anything other than apartments or entertainment venues. **Commissioner Quigley** commented that the piece of property Mr. Stangl is attempting to develop is very difficult and he had hoped that it would be easier with American Express and the new State office building being in such proximity, but it hasn't been the case. **Mr. Stangl** added that is why he was in favor of flex space because it can be made very nice and handle many employees, which would be a big benefit to the City.  7:56 PM

2.6.4 **Commissioner Peterson** asked Mr. Stangl if he had done a study to find out how many jobs this development might create. **Mr. Stangl** said the answer was no and yes but that the project would be about 65% office use. **Jeff Richards** (CBRE – commercial real estate broker) came forward to answer this question. He said there has not been an official study relative to number of employees but in looking at the parking ratio it would be around three stalls per thousand square feet. **Ms. Price** advised the figures were 203, 445 and 306 stalls for all three buildings.  **Mr. Stangl** added that flex space provides unique jobs, whereas American Express is a call center with all similar positions along with a few managers. That he had suggested different tenants to Mr. Stangl who ended up going elsewhere. That without even marketing this space they have proposals with letters of intent waiting from Covance (laboratory facility) with a heavy job base, Evans and Sutherland (currently located at Research Park) who manufacture planetariums around the World and want a nice building they can meet with clients in. Also looking at space is the University of Utah for the Pioneer Theater for storage space and a practice facility. His point is that the difference in demand between office and flex space is great right now.  8:01 PM He added that there are only two flex space parks in the valley right now which means this one in Taylorsville would be successful. He then addressed the issue of the BRT saying that might work better at this location if they wait awhile. He suggested that this location is mature, with everything around it that is going to be around it in the future is already there. Therefore, intelligent decisions can be made right now as far as what this site should be for the future. He also discussed the issue brought up about cohesion by saying that in Draper City at 421 West 12800 South there is a 38.77-acre light industrial use park with loading docks included, which was originally marketed as an apartment complex and met with serious resistance from the residents. However, with that park as established, there have been no complaints from the neighbors. **Mr. Stangl** advised he has met with the neighbors in Village II and received no negative responses to this development. **Mr. Richards** added that they had given thought to making this a metro office park but found that would be near impossible to lease and functionally would not work in this location. **Commissioner Wendel** asked for an example of a flex building that is successful and **Mr. Richards** gave the example of the Porter Rockwell Center for one. **Commissioner Wendel** advised that the reason the Commission is so concerned is that this is one of the last pieces of land available for development in the City.


2.6.5 **Commissioner Burggraaf** said that one area not addressed so far is the proposed UDOT frontage road on this site and how that will affect the development space. **Mr. Stangl** said that he has met with UDOT several times and so far, they have not given him the calculations on what is going to happen there. He thinks it will take about 60 feet on the east side, which will not affect the proposed building use.  8:14 PM


2.6.6 **Commissioner Quigley**  8:24 PM asked **Mr. Stangl** how a delay in decision tonight would affect his project. The problem being that the Commission just wants to make sure they get it right and all questions and concerns answered. **Mr. Stangl** said he fully understands the City's


position but that there can never be a scenario where every question is answered. Case in point is the BRT wherein apartments would generate more ridership than any other use, but the City doesn't want apartments there. The City needs to decide as a whole what works and if the tenants wanting to come to the site can be accommodated in a timely manner or not. **Commissioner Quigley** asked Staff how much time they would need to get all the information



they require to move this forward.  8:24 PM **Mr. McGrath** said that was difficult to answer because there are so many unknowns which are beyond Mr. Stangl's control. Staff is very interested in what type of businesses would be going in there and would like to sit down with Mr. Stangl's design team to learn their perspective. **Commissioner Wendel** thanked Mr. Stangl and Mr. Richards for being so gracious and helpful this evening.

2.7 **SPEAKING: Commissioner Wendel** opened the public hearing and asked if there was anyone wishing to speak to this proposal.


2.7.1 **Jim Warner** (Resident of Village II). **Mr. Warner** was mainly supportive of this use but had a concern about the access points for this development which he felt as proposed were inadequate to handle the amount of traffic.  8:27 PM He also questioned why the site was divided into two pieces. He also asked who owns the first 200 feet south of Village II up against 2700 West. **Commissioner Warnas** informed him that American Express owns that piece of property. **Mr. Warner's** concern was if there were some way to obtain that piece of property to supplement the applicant's access. He felt that was part of the reason no one was interested in being a tenant on this property. He also wondered about the proposed 100' buffer between Village II and the applicant's driveway. That now there is no access because of the 100' buffer. **Commissioner Quigley** explained the 100' buffer is for the buildings that are going in, not the ingress/egress. **Mr. Warner** felt the Commission should investigate that and see if that is a problem and solve it. He explained that he had taken it literally about that being the law. If it needs to be changed, now would be the time to do so. Take all of the impacts into consideration and solve the problem once rather than incrementally. That ever since this proposal came up three or four years ago, he had been trying to figure out what was the best way to make that work and the only way he came up with was with including the front property that he previously discussed. He was in favor of the proposal as presented short of his expressed concerns about access.

2.7.2 **Commissioner Wendel** thanked Mr. Warner and summarized his testimony that he is generally supportive of the development but has concerns about ingress/egress and the opportunity to possibly gain more space for the 2700 West access area. **Mr. Warner** commented that they are anticipating 600 cars per day in and out onto 2700 West which is already very congested. He proposed staggered work shifts or utilization of the frontage road being proposed in the future.  8:33 PM **Ms. Price** said that there will be no access whatsoever into Village II with this proposal, except for the crash gate which would only be used by emergency personnel during an emergency. Also, that regarding the line bisecting the property, Mr. Stangl owns both pieces, so it would not present a problem.


2.7.3 **Commissioner Wendel** asked if there had been any conversation with American Express about trying to acquire any of their land in order to make this property larger. **Mr. Stangl** said conversations with American Express itself were positive, but they subsequently sold the land to American Realty Capital who expressed no interest whatsoever in selling of any of the property to Mr. Stangl.  8:34 PM **Commissioner Wendel** asked him what the distance was of the area that he does have and what would the road look like coming in off 2700 West. **Mr. Stangl** said his site plan indicates it is exactly like it was before but it all depends on what UDOT is proposing.

2.7.2 **Goodwin Stump** (lives in Village II).  **Mr. Stump** wanted assurance that there would not be an access through Village II and **Mr. Stangl** told him that was correct. **Mr. Stump** was in favor of having this a business zone. He also wanted to know what BRT was described to him. **Mr. McGrath** gave him a general description of what Base Rapid Transit entailed and **Commissioner Wendel** suggested he go to the City of Taylorsville web site where there is a more detailed description available. **Commissioner Quigley** described it as being TRAX on rubber tires. There will be no rails, but it will be like a TRAX continuation between the two cities but done with buses and designated stops, loading platforms, etc. **Mr. Stump** then advised that the docking issue would be problem if it were located towards the residential area.  8:36 PM


2.8 There being no others wishing to speak, **Commissioner Wendel** closed the public hearing and opened the meeting up for discussion amongst the Commissioners, or a motion.


 8:37 PM


2.9 **DISCUSSION:**


2.9.1 **Commissioner Quigley** expressed frustration that there is a problem with Taylorsville in that the City knows what it wants to be but doesn't know what it is. It has been underscored this evening in that everyone would love to see some dream property development but the reality of it is that "it is what it is" and he did not see any change in that in the next 10 to 30 years. He did agree that creation of a vertical skyline might be in the future for Taylorsville but would be on properties where structures are torn down and rebuilt due to obsolescence. He added that is the reason American Express is leaving because of the age of the building.  8:40 PM He felt that over time there will become more developable land in Taylorsville as demographics change and the prime location here of being in the middle of the valley. Therefore, he did not feel there was any benefit to delaying approval of this application tonight. He felt right now this seems to be the highest and best use of this land. **Commissioner Wendel** felt the waiting time frame needs to be defined. **Commissioner Quigley** agreed but struggled when the waiting time doesn't have some kind of definitive date as is the case with this application. He had empathy for this applicant because he has letters of intent which have expiration dates attached thereto and is spending a lot of money without knowing conceptionally if this is going to work for Taylorsville. **Commissioner Wendel** just wanted to make sure **Commissioner Quigley** was cognizant of the General Plan Goals, to which he replied that he was and had no problem with that.


2.9.2 **Commissioner Burggraaf** echoed the sentiments expressed by Commissioner Quigley. A couple of times the Commission has heard comments that gave him the impression that what is being proposed is as if it is "our property". While it is within the City limits to dictate what specifically goes in there, at least the intent that is coming across I think is wrong philosophically. It is not the City's property. What he felt needed to be evaluated is the uses, compatibility, cohesion, etc. That Staff gave comments that the one example that is currently in Taylorsville has not created issues. That being the Sorenson Research Park area as it pertains to being adjacent to a residential area. Business Park is compatible with Professional Offices. When talking about the Bus Rapid Transit route going there, it is notable that with the jobs being created and the use of that area is compatible and a good reason to change this zone to Business Park. If there is demand for Business Park right now and there not for Professional Offices, there should be a little credence given to the professionals in the room who can speak to that demand better than the Commission can. That Bus Rapid Transit bus route is ideal for what is being proposed as far as a change. In talking about the American Express building, he did not feel this decision can be based on what is going to happen there. What needs to be done is look at will this be compatible with what is being proposed. He disagreed that this is

one of the last tracts of undeveloped land in Taylorsville. That while it is empty it is not one of the last developable parcels because land becomes developable when there is demand to develop. Whether there is a building there or not, this isn't one of the last tracts. As demands dictate there will be other areas that will need to be developed or redeveloped. He said he was completely in aligned with Commissioner Quigley. He wanted to hear Staff's answer to the question of if it is continued what would be the time frame, because to have no end is no way to go about this. Again, the main point is that the City is just waiting to hear what is going to happen with American Express and he felt that was the wrong route as far as making this type of zoning decision. It is incorrect to rezone depending on a tenant because that may completely change in five or ten years. He felt that some of Staff's concerns were discussed tonight and was interested in hearing if Staff still has those same concerns. He expressed that he was in favor of making a positive recommendation on these changes. 


2.9.3 **Commissioner Warnas** commented that it is his hope that if the development proposed tonight proceeds, it would encourage the American Express building to change. He has been in the American Express building and saw that it needs a lot of work. If they keep it even remotely like it is now they are going to have a very hard time finding tenants for occupancy. His hope was that this new project would generate a "marriage" of space so to speak. He also noted that there is always a considerable amount of empty parking space at the American Express building lot. 

2.9.4 **Commissioner Peterson** said he would like to speak his original concerns about the BRT line. There has been talk about potential economic impact in this area and the number of jobs that could be created as a result. Even if it doesn't provide the same ridership that was assumed as the BRT ridership study has gone on, he felt the potential for high paying jobs and the number of jobs would offset any dip in ridership. He felt this project would be an overall benefit to the City economically. At a minimum, it beats having a vacant lot there or having high density residential, which is a net loss to the City. His preference would be to see something that would actually generate some source of income and revenue for the City. That if the decision is made to prolong this for another month it would be beneficial to see some numbers reflecting potential BRT ridership. That he would also be comfortable approving this proposal as well. 

2.9.5 **Commissioner McElreath** added that many of his questions were answered during the presentation tonight. The two unanswered questions are the BRT as well as the frontage road but he did not feel this should be prolonged because of that because those decisions are out of the hands of the City and the Commission.  He was in favor of a positive recommendation to the City Council.


2.9.6 **Commissioner Barbieri** said she is very sympathetic to what the applicant has gone through. That she has been on the Commission for the entire saga for this property. She wanted to postpone it for 30 days to get as much information as possible from American Express to see what their intent is. American Express is downsizing and has fewer employees now. Her understanding is that they occupy just one floor of that building now and the rest of it is vacant. She felt there was a chance they might offer it to Mr. Stangl wherein he would have a much bigger space to develop. She felt it was short sighted to say that flex space is not going to bring higher paying positions and jobs. As an example, she cited Sorenson Research Park, which has decent high paying jobs. She just wants to be careful with her decision and promised if it is tabled for 30 days she would not ask for any extension of that time. 


- 2.9.7 **Commissioner Warnas** added that the reason why American Express is down to one floor now is they have sent everybody to work in their home. They have the same number of employees, having laid off a few in 2016 but all those employees were relocated in this area, working from their homes.
- 2.9.8 **Commissioner Wendel** took the opportunity at this point to summarize her concerns. Driving that area today, one thing that disappointed her was that she feels like this is a key area for revitalization and congruency. That they have been trying to work on the 4700 South retail area for a long time. She was hopeful that what does happen at this Park can actually translate going south as well. She would love for the employees in that area to have some retail opportunities that would be possible for them. That she has struggled with the idea of the building might be looking different. She was fully confident that American Express is going to have to bring that building up to speed, so they can recoup their cost or hand it over to Mr. Stangl. She is definitely in the mind-set that even though she doesn't want to take up more of the applicant's time and felt he has been well thought, well invested, well researched on what he wants to do, but she still has the desire not to just react to an application that really has a tremendous opportunity to affect us very well in the community. So, one suggestion would be to have Staff tell us if an SSD (Site Specific Development) is an option for this and something that could be considered as more information is determined or the benefit determine as to what could happen in 30 days. She felt that there has to be a decision within 30 days or consider an SSD that allows the Commission to help the applicant be in a position to be as successful as possible within Taylorsville and allows the Commission to keep fulfilling their goals.
- 2.9.9 **Mr. McGrath** answered her question saying it would be Staff's preference to develop it as an SSD. The problem with that is Staff needs to know exactly what the project is in order to approve it as an SSD. Essentially what is being done with an SSD is approval would be given to the project and the zoning at the same time. In this case, the exact particulars of the project are not known. It is not known what the circulation is, not known exactly what will be there except conceptual but nothing set in stone. In order for Staff to process this as an SSD, which is definitely the direction the City is going, it does not want to be in a position of approving zoning and then hoping for the best. The City wants to develop projects and zonings at the same time, but this particular project is not there yet. **Commissioner Wendel** then wanted to know what Staff needs from the applicant. **Mr. McGrath** replied the problem was with circulation and the whole UDOT frontage road issue. Even if the applicant gets the zoning approved, it would be difficult to see how this property can be developed not knowing where the roads will be. That will also impact that 100' buffer. **Commissioner Wendel** asked the applicant to come up and answer that question.
- 2.9.10 **Mr. Stangl** said that assumption was correct in that he needs to know what the circulation is and where the road is going, so he cannot build until that time happens. But he also can't get it done first of all until a decision is made about what will happen with American Express. What he is asking to do is handle it in the site plan process with whatever instructions the Commission wants to put on him. That he is happy to work with the City on a design that fits in the neighborhood, if they don't think the one submitted does he is willing to work with them. **Commissioner Wendel** said that the difficult thing about this is that the zone change goes with the property and not with the applicant. That is the main issue with the Commissioners who are not sure yet. If the zone change was specifically tied to the applicant there would not be any resistance.
- 2.9.11 **Commissioner Barbieri** asked Mr. McGrath if she was hearing him correctly say that even if the Commission wants to do an SSD nothing could be approved right now because of the UDOT issue. **Mr. McGrath** said with the SSD, the approval would be for the final project along with

the zoning. **Commissioner Barbieri** asked if the UDOT decision impacted that. **Mr. McGrath** said he didn't see any way that could be done not knowing if a road is going to go there, where the road is going to go, any details in terms of how wide the road is, etc. This is way too preliminary to be able to do an SSD at this point. **Commissioner Barbieri** asked Mr. Stangl if that made him nervous and he replied yes, he was not willing to spend the cost for designs again. **Commissioner Barbieri** then asked what would happen if UDOT comes up with a road design that he does not like, and he replied he could not imagine that happening. That he would just build around whatever design was their decision because he wanted that road built there. **Mr. McGrath** said that Staff would love to see that road built as is being discussed right now but that is still conceptual.  The whole UDOT project, of which the road in question is a part, is a multi-million-dollar project, so they want to make sure the taxpayers get the most for their tax dollars. If it turns out it isn't going to solve the freeway issues, etc., then it doesn't make sense to spend that much money.


2.9.12 **Commissioner Peterson** is a consultant to UDOT and offered that he has worked on a project or heard of a project that UDOT has done and it has gone through the environmental process, that has never been built. He felt this project has a high potential of never being built because it is not solving the problem it was intended to solve, which is the intersection of 2700 West and 4700 South. Because of the high cost of the project, UDOT is looking hard at this to make sure it is a good expenditure of public funds. UDOT has many projects and have prioritized them, with this one being at the very bottom of that list for now. For that reason, he did not feel this applicant should be held up to wait to see what UDOT does. Usually environmental assessments take about 18 months to complete. **Commissioner Wendel** asked if Mr. Stangl is being held up by UDOT regardless of whether the zoning is changed or not. **Commissioner Peterson** said he did not feel that was the case. It is a risk the applicant must evaluate and assess if he is willing to take that risk and develop it not knowing what UDOT is going to do. If he decides to go ahead and do it and then UDOT decides on a layout which then involves one of the buildings having been constructed there is always the risk that they will buy it out and if there is resistance, the condemnation process would be initiated. It is all on the applicant whether he decides to do it. It is up to the Planning Commission to decide if it gives him the green light to take the next step – to go through the site planning process and let him evaluate what he wants to do based on the information he has now. He felt it was incumbent on the Commission to decide if it is in the City's best interest to approve what is proposed tonight so that he can move forward. If the Commission doesn't approve it, it did not seem as if the applicant is willing to take the next step.


2.9.13 **Commissioner Wendel** said that is why she needs help understand better because the way she sees it is if he has the action of building regardless of UDOT considering this frontage road at this time then there should be no reason why he couldn't get into an SSD because it is still the same risk then. Building the project together that we want to build or not. **Mr. McGrath** asked her to repeat the question. **Commissioner Wendel** explained her lack of understanding because what she is hearing - based on what Commissioner Peterson is saying, it doesn't matter whether UDOT wants to put in a frontage road or not, it is Mr. Stangl's risk-taking decision at this point to decide to develop it while that plan is ambiguous. If he is willing to assume the risk developing it regardless of what UDOT has on their table right now, she didn't understand why the Commission cannot also do a SSD.

2.9.14 **Mr. Stangl**  stated if UDOT's road is thought to be here, he advised he can make plans around that with different designs considering both options of whether they take the land or they don't. He felt that if he does a good enough job with that planning he can bring it to the City and they can say they are willing to accept the site plan with this in mind. If not, the City is going to delay him anyway but at least he can make plans and proceed with a theory in mind instead of no theory. That he has to know the whole picture. **Commissioner Wendel** asked

him how would view doing an SSD different from his perspective. **Mr. Stangl** said with an SSD there always the risk of something coming up, so a developer can spend a lot of money on a lot of plans for a lot of period of time to find out if something is going to come up; which he did not want to happen. **Commissioner Wendel** said it sounded like there are two teams with the exact concern. The City would love to buy into the applicant's proposal but there is nothing that says the City is buying into this in changing the zone and the applicant is saying he doesn't want to be investing in something that he is not going to be able to see come to fruition should something the City can't control change. Both sides are having the exact same problem. **Mr. Stangl** asked if there were any way to limit the exposure to anything besides getting hit with a dirt truck as you cross the street. Anything could happen and right now, what he was hearing was the American Express site is the complete unknown that he felt was the driving issue. The status of that is still not known. He added that he had talked with them on many occasions and know the people are looking to do something with the property, but they have no idea what at this point.  9:02 PM

2.9.15 **Commissioner Wendel** said that her concern is the applicant feels waivering in his decision-making process as does the City does because of the unknown. She wondered then what was keeping both sides from taking the time then to get a little bit more information. **Mr. Stangl** said if he had a question, which right now he doesn't have, and would rather see what happens. He didn't think there was a specific question and a time to answer any question. What he was saying is the City has more questions, without identifying what those questions are or what the time line is to satisfy those questions. That is his issue. **Commissioner Wendel** felt that is what the SSD would resolve but added that the applicant seems to be resistant to that solution. **Mr. Stangl** disagreed with that, saying it is all the same issue.

2.9.16 **Commissioner Quigley**  9:07 PM said what he has heard Mr. Stangl say is "road or no road, the development makes sense to him". Secondly what he has heard is that Mr. Stangl is well aware of UDOT's intention of putting in a frontage road, whether or not that happens, and he feels comfortable anyway that he can make that work. **Mr. Stangl** said both statements are correct. **Commissioner Quigley** continued on to say, then the question of having to wait until it is known what UDOT is going to do with the frontage road is a weak consideration for withholding this. Secondly, the Planning Commission is not here tonight to make a zoning change but rather to make a recommendation to the City Council because zoning is a legislative issue and not administrative change. Thirdly, Mr. Stangl's expert, Mr. Richards, indicated that the R and D is a higher and better use for this property than the Professional Office current zoning. So, whether Mr. Stangl is the developer or not, based on Mr. Richards' professional opinion, if someone else comes in they would have a better chance of developing that property as an R and D zoned property, given the current market and situation. Fourth in line of what he heard is that this doesn't necessarily have a negative impact on the value of the BRT and rather would bring in more employees to the site. **Commissioner Quigley** addressed Commissioner Barbieri's request to slow this process down, but the fact remains that Staff did not have an answer as to how long it would take them to gather more information. **Commissioner Barbieri** answered him saying that she just wants to do some due diligence, which is nothing to do with the City at this point. **Commissioner Quigley** concluded by saying he would like to move to end discussion and make a motion.

2.10 **MOTION:**  9:09 PM **Commissioner Quigley** - On the application that has been presented before us, File #1G18 I would like to make a motion that we make a positive recommendation to the City Council regarding File #1G18 for a General Plan amendment from Professional Office to Business Park for the property at 4235 South 2700 West based on Findings of Fact outlined in the Staff Report and add to that and the hearing that we have held tonight and new facts that have come forward.
SECOND: **Commissioner Burggraaf**

Commissioner Wendel - We have a motion to send a positive recommendation regarding File #1G18 for a General Plan Amendment from Professional Office to Business Park for the property located at 4235 South 2700 West based on the Findings outlined in the Staff Report in addition to the facts discussed in this public hearing.

VOTE: Commissioner Peterson – AYE, Commissioner McElreath – AYE, Commissioner Barbieri - NAY, Commissioner Quigley – AYE, Commissioner Burggraaf – AYE, Commissioner Warnas – AYE. Motion passes 5 to 1.

Commissioner Quigley asked to make a comment, which was that he wished the applicant good luck and added he would look forward to seeing some progress on this site in the near future.

ZONING TEXT AMENDMENT

3. 14Z18 – Mike Stangl – Recommendation to the City Council for a Zoning Map Amendment to Rezone 19.44 Acres Located at 4235 South 2700 West from Professional Office to Research and

Item was presented by Ms. Price. NOTE: Presentation and discussion for this item was included in Item #1 – General Plan Amendment, #1G18, heard first.

MOTION: Commissioner Burggraaf – Madam Chair, I am inclined to move that we make a positive recommendation to the City Council in regards to File #14Z18 for a Zoning Map Amendment from Professional Office to Research and Development for the property located at 4235 South 2700 West based on the Findings outlined in the Staff Report and based on the additional facts that have been provided to us this evening.



SECOND: Commissioner Quigley  9:13 PM


Commissioner Wendel - We have a positive recommendation to the City Council regarding File #14Z18 for a Zoning Map Amendment to rezone 19.44 acres located at 4235 South 2700 West from Professional Office to Research and Development.


VOTE: Commissioner Peterson – AYE, Commissioner McElreath – AYE, Commissioner Barbieri - NAY, Commissioner Quigley – AYE, Commissioner Burggraaf – AYE, Commissioner Warnas – AYE. Motion passes 5 to 1.

DISCUSSION ITEM

1. Discussion Regarding Planning Commission Reference Manual. (Mark McGrath/Director of Community Development)

 8:24 PM Mr. McGrath advised the reason for this discussion is to advise Commissioners that an electronic packet of information regarding the Planning Commission Reference Manual version on the web site consisting of materials the Commissioners will find helpful in fulfilling their duties is going to be prepared and posted on the City web site soon. He will give them more information as that process develops.  8:24 PM

CITY COUNCIL MEETING DISCUSSION: September 5, 2018 – Commissioner Wendel gave her report on what transpired during that City Council Meeting.  9:18 PM

ADJOURNMENT: By motion of Commissioner Warnas the meeting was adjourned at 9:24 hours.  9:24 PM

Respectfully Submitted By:

Jean Gallegos, Admin Asst/Recorder for the
City of Taylorsville Planning Commission

Approved in meeting held Oct 9, 2018.